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APPLICATION NUMBER	FILING OR 371 (c) DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/760,333	01/20/2004	Rick F. Gladney	SMCY-P04-062

28120
 ROPES & GRAY LLP
 ONE INTERNATIONAL PLACE
 BOSTON, MA 02110-2624

CONFIRMATION NO. 9792

FORMALITIES LETTER



OC000000013314792

Date Mailed: 07/22/2004

NOTICE TO FILE CORRECTED APPLICATION PAPERS

Filing Date Granted

An application number and filing date have been accorded to this application. The application is informal since it does not comply with the regulations for the reason(s) indicated below. Applicant is given TWO MONTHS from the date of this Notice within which to correct the informalities indicated below. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

The required item(s) identified below must be timely submitted to avoid abandonment:

- A substitute specification in compliance with 37 CFR 1.52, 1.121(b)(3), and 1.125, is required. The specification, claims, or abstract page(s) submitted is not acceptable and cannot be scanned or properly stored because:
 - Papers must be legibly written either by a typewriter or mechanical printer in permanent ink or its equivalent in portrait orientation on flexible, strong, smooth, non-shiny, durable, and white paper. Application papers must be presented in a form having sufficient clarity and contrast between the paper and the writing thereon to permit the direct reproduction of readily legible copies in any number by use of photographic, electrostatic, photo-offset, and microfilming processes and electronic reproduction by use of digital imaging and optical character recognition. Pages All are not in compliance with 37 CFR 1.52(a).

Replies should be mailed to: Mail Stop Missing Parts
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*A copy of this notice **MUST** be returned with the reply.*

2136

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Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE



PTO/SB/21 (04-04)

Approved for use through 07/31/2006. OMB 0651-0031

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TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission

30

Application Number

10/760333

Filing Date

January 20, 2004

First Named Inventor

Richard F. Gladney

Art Unit

3673

Examiner Name

Not Yet Assigned

Attorney Docket Number

SMCY-P04-062

ENCLOSURES (Check all that apply)

☒ Fee Transmittal Form☐ Fee Attached☐ Amendment/Reply☐ After Final☐ Affidavits/declaration(s)☒ Extension of Time Request☐ Express Abandonment Request☐ Information Disclosure Statement☐ Certified Copy of Priority Document(s)☒ Response to Missing Parts/
Incomplete Application☒ Response to Missing Parts
under 37 CFR 1.52 or 1.53☐ Drawing(s)☐ Licensing-related Papers☐ Petition☐ Petition to Convert to a
Provisional Application☐ Power of Attorney, Revocation
Change of Correspondence Address☐ Terminal Disclaimer☐ Request for Refund☐ CD, Number of CD(s) _____☐ After Allowance communication
to Technology Center (TC)☐ Appeal Communication to Board of
Appeals and Interferences☐ Appeal Communication to TC
(Appeal Notice, Brief, Reply Brief)☐ Proprietary Information☐ Status Letter☒ Other Enclosure(s) (please
Identify below):Substitute Specification
Part 2 Copy of Notice
Return Receipt Postcard

Remarks

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm
or
Individual nameROPES & GRAY LLP
J. Steven Baughman - 47,414

Signature

Date

October 22, 2004

I hereby certify that this correspondence is being deposited with the U.S. Postal Service with sufficient postage as First Class Mail, in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date shown below.

Dated: 10/22/04

Signature: Tina Lauchie-Mitchell (Tina Lauchie-Mitchell)



Via: First Class Mail	Atty Dkt No.: SMCY-P04-062
Inventor: Gladney et al.	
Application No.: 10/760333	Filing Date: January 20, 2004
Title: MATTRESS AND BED ASSEMBLY PROVIDING AN ENLARGED SLEEPING SURFACE AREA	

Documents Filed:

Fee Transmittal (1 page)

This Return Receipt Postcard

Substitute Specification (24 pages)

Part 2 Copy of Notice (2 pages)

One Month Request for Extension of Time Under 37 CFR 1.136(a) (1 page)

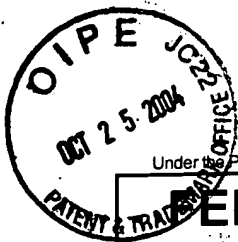
Response to Notice to File Missing Parts of Application (1 page x 2 copies)

Transmittal (1 page)

Charge \$110.00 to deposit account 18-1945

Sender's Initials: JSB/tlm

Date: October 22, 2004

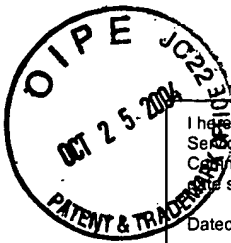


FEE TRANSMITTAL for FY 2004 <small>Effective 10/01/2003. Patent fees are subject to annual revision.</small>		Complete if Known		
		Application Number	10/760333	
<input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27		Filing Date	January 20, 2004	
		First Named Inventor	Richard F. Gladney	
		Examiner Name	Not Yet Assigned	
TOTAL AMOUNT OF PAYMENT		Art Unit	3673	
(\$)		110.00	Attorney Docket No.	SMCY-P04-062

METHOD OF PAYMENT (check all that apply)		FEE CALCULATION (continued)																													
<input type="checkbox"/> Check <input type="checkbox"/> Credit Card <input type="checkbox"/> Money Order <input type="checkbox"/> Other <input type="checkbox"/> None		3. ADDITIONAL FEES																													
<input checked="" type="checkbox"/> Deposit Account: Deposit Account Number: 18-1945 Deposit Account Name: Ropes & Gray LLP																															
The Director is authorized to: (check all that apply)																															
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FEE CALCULATION																															
1. BASIC FILING FEE																															
<table border="1"><thead><tr><th>Large Entity</th><th>Small Entity</th><th>Fee Description</th><th>Fee Paid</th></tr><tr><th>Code</th><th>Fee (\$)</th><th>Code</th><th>Fee (\$)</th></tr></thead><tbody><tr><td>1001</td><td>770</td><td>2001</td><td>385</td></tr><tr><td>1002</td><td>340</td><td>2002</td><td>170</td></tr><tr><td>1003</td><td>530</td><td>2003</td><td>265</td></tr><tr><td>1004</td><td>770</td><td>2004</td><td>385</td></tr><tr><td>1005</td><td>160</td><td>2005</td><td>80</td></tr></tbody></table>		Large Entity	Small Entity	Fee Description	Fee Paid	Code	Fee (\$)	Code	Fee (\$)	1001	770	2001	385	1002	340	2002	170	1003	530	2003	265	1004	770	2004	385	1005	160	2005	80		
Large Entity	Small Entity	Fee Description	Fee Paid																												
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1004	770	2004	385																												
1005	160	2005	80																												
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2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE																															
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<table border="1"><thead><tr><th>Large Entity</th><th>Small Entity</th><th>Fee Description</th><th>Fee Paid</th></tr><tr><th>Code</th><th>Fee (\$)</th><th>Code</th><th>Fee (\$)</th></tr></thead><tbody><tr><td>1202</td><td>18</td><td>2202</td><td>9</td></tr><tr><td>1201</td><td>86</td><td>2201</td><td>43</td></tr><tr><td>1203</td><td>290</td><td>2203</td><td>145</td></tr><tr><td>1204</td><td>86</td><td>2204</td><td>43</td></tr><tr><td>1205</td><td>18</td><td>2205</td><td>9</td></tr></tbody></table>		Large Entity	Small Entity	Fee Description	Fee Paid	Code	Fee (\$)	Code	Fee (\$)	1202	18	2202	9	1201	86	2201	43	1203	290	2203	145	1204	86	2204	43	1205	18	2205	9		
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**or number previously paid, if greater; For Reissues, see above																															

SUBMITTED BY		(Complete if applicable)	
Name (Print/Type)	J. Steven Baughman	Registration No. (Attorney/Agent)	47,414
Signature		Telephone	(202) 508-4606
		Date	October 22, 2004

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Dated: 10/22/04	Signature: Tina Lauchie-Mitchell (Tina Lauchie-Mitchell)



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Dated: 10/22/04 Signature: Tina Lauchie-Mitchell
(Tina Lauchie-Mitchell)

Docket No.: SMCY-P04-062
(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:
Gladney et al.

Application No.: 10/760333

Confirmation No.: 9792

Filed: January 20, 2004

Art Unit: 3673

For: MATTRESS AND BED ASSEMBLY
PROVIDING AN ENLARGED SLEEPING
SURFACE AREA

Examiner: Not Yet Assigned

RESPONSE TO NOTICE TO FILE MISSING PARTS OF APPLICATION

Commissioner for Patents
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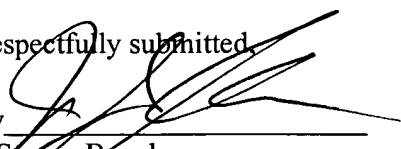
Dear Sir:

In response to the Notice to File Missing Parts of Application – Filing Date Granted mailed July 22, 2004, Applicant respectfully submits a Substitute Specification and Part 2 Copy of Notice.

Please charge our Deposit Account No. 18-1945 in the amount of \$110.00 covering the fee set forth in 37 CFR 1.17(a)(1). The Director is hereby authorized to charge any deficiency in the fees filed, asserted to be filed or which should have been filed herewith (or with any paper hereafter filed in this application by this firm) to our Deposit Account No. 18-1945, under Order No. SMCY-P04-062. A duplicate copy of this paper is enclosed.

Dated: October 22, 2004

Respectfully submitted,

By 
J. Steven Baughman
Registration No.: 47,414
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One International Place
Boston, Massachusetts 02110-2624
(617) 951-7000
(617) 951-7050 (Fax)
Attorneys/Agents For Applicant